

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Natalie Richer on August 10, 2010.

The application has been amended as follows:

Please amend Claims 8, 11, 14 and 17 as the following:

8. (currently amended) A viewing and listening information computing method, comprising the steps of:

obtaining a reception log and a receiver ID of at least one broadcast receiver and recording the reception log and the receiver ID in a database;

recording program information concerning a broadcast program in the database, the program information including a program label indicating the type of program and unit portions of the program separated based on different content specific to the type of program;

reading the reception log, the receiver ID, and the program information from the database and computing viewing and listening information concerning viewing and listening,

wherein the viewing and listening information includes viewer preferences for each unit portion of ~~a~~ the program,

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wherein computing the viewing and listening information includes computing a rating for each unit portion of the program using a total number of receivers that received the unit portion of the program, and

wherein a reception is recorded in the reception log of said at least one broadcast receiver only when said at least one broadcast receiver continuously receives a channel and/or a program for a predetermined period and a reception is not recorded in the reception log of said at least one broadcast receiver when said at least one broadcast receiver does not continuously receive a channel and/or a program for at least the predetermined period.

11. (currently amended) A viewing and listening information computing apparatus, comprising:

reception state management means for obtaining a reception log and a receiver ID of at least one broadcast receiver;

a database in which the obtained reception log, receiver ID, and program information concerning a broadcast program are recorded, the program information including a program label indicating a type of program and unit portions of the program separated based on different content specific to the type of program;

viewing and listening information management means for computing viewing and listening information which is information concerning viewing and listening based on the reception log, the receiver ID, and the program information read from the database,

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wherein the viewing and listening information includes viewer preferences for each unit portion of ~~a~~ the program,

wherein the viewing and listening information includes a rating for each unit portion of the program computed using a total number of receivers that received the unit portion of the program, and

wherein a reception is recorded in the reception log of said at least one broadcast receiver only when said at least one broadcast receiver continuously receives a channel and/or a program for a predetermined period and a reception is not recorded in the reception log of said at least one broadcast receiver when said least one broadcast receiver does not continuously receive a channel and/or a program for at least the predetermined period.

14. (currently amended) A system comprising:

a receiver, including:

a receiving unit for selecting a channel and for receiving a broadcast;

a controller for controlling channel selection and for detecting a reception log;

and

a memory for storing the reception log and a receiver ID; a viewing and listening information computing apparatus communicatively coupled to the receiver, the viewing and listening information computing apparatus including:

a reception state management computer for obtaining a reception log and the receiver ID from the receiver;

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a database in which the obtained reception log and receiver ID are recorded;

a program management computer for receiving program information including a program ID, a program label indicating a type of program, and ~~program~~ unit portions of a program separated based on different content specific to the type of program; and

a viewing and listening information management computer for computing viewing and listening information including a rating concerning viewing and listening for each unit portion of ~~a~~ the program based on the reception log, the receiver ID, and the program information, and for transmitting the computed viewing and listening information to a program producer;

wherein the rating is computed using a total number of receivers that received the unit portion of the program.

17. (currently amended) A method of obtaining viewing and listening information, comprising:

selecting a channel and receiving a broadcast via a receiving unit having a receiver ID; detecting a reception log;

storing the reception log and the receiver ID in a database;

obtaining, using a program management computer, program information including a program ID, a program label indicating a type of program, and ~~program~~ unit portions of a program separated based on different content specific to ~~on~~ the type of program;

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computing, using a viewing and listening management computer, viewing and listening information concerning viewing and listening for each unit portion of ~~a~~ the program based on the reception log, the receiver ID, and the program information; and transmitting the computed viewing and listening information to a program producer;

wherein the viewing and listening information includes a rating for each unit portion of the program computed using a total number of receivers that received the unit portion of the program.

### ***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance:

Kohen discloses computing a rating, the rating relating to a number of receivers that received the program as any subset of receivers that received the program relates to the computation including only receivers of active viewers (Column 4, lines 49-65, Column 5, lines 4-9, 66-67, Column 6, lines 1-30, 48-50, Column 8, lines 20-30).

Bedard discloses determining the viewing and listening information includes computing a rating or interest for each unit portion of the program (Figure 3, 304, Figure 2, Column 6, lines 46-62); a broadcast receiver (Column 3, lines 4-15) comprising: a reception of at least one broadcast receiver only when the only one broadcast receiver continuously receives one of a channel (Column 4, lines 38-48) and a program (Column 5, lines 52-65) for at least a predetermined period (Column 5, lines 52-65) and does not record a reception in the reception log in the storage unit when the receiving unit does

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not continuously receive a channel and/or a program for at least the predetermined period (Column 3, lines 62-67, Column 4, lines 1-15); the viewing and listening information includes viewer preferences for each unit portion of a program (Column 3, lines 62-67, Column 4, lines 1-15, 38-65, Figure 2).

Block discloses program information including a program label indicating the type of program and unit portions separated based on different content specific to the type of program (Column 6, lines 11-30, Columns 6-7, Table 1, Column 9, lines 38-54). Aras discloses a viewing and listening computing apparatus (Column 12, lines 40-64), comprising: storage for storing the obtained reception log, receiver ID and program information of a broadcast program (Column 12, lines 40-64, Column 13, lines 13-23, Column 17, lines 57-67, Column 18, lines 1-3), the program information including a program label and unit portions separated based on the program (Column 9, lines 4-15, Column 10, lines 10-30, Column 8, lines 1-25); the viewing and listening information includes viewer preferences for each unit portion of a program (Column 10, lines 10-30, Column 8, lines 1-25, Table I). Ivanyi discloses a viewing and listening information computing method (Figure 1, 4, Figure 4, Column 9, lines 25-40) comprising obtaining a reception log of at least one broadcast receiver (Figure 1, 4, Figure 2, 45, Figure 3, 28-31, Column 7, lines 64-67, Column 8, lines 1-5); recording the obtained reception log and program information concerning a broadcast program in a database (Figure 1, 4, Figure 4, 56, Column 10, lines 1-8, Figure 5, 90); and computing viewing and listening information which is information concerning viewing and/or listening based on the reception log and the program information read from the database (Column 9, lines 25-

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40, lines 66-67, Column 10, lines 1-8, lines 59-65). Ivanyi discloses that the television viewer behavior is monitored for channel being viewed (Column 9, lines 66-67, Column 1-10). Delsesto disclose obtaining a reception log or response packet and a receiver ID of at least one broadcast receiver (Figure 5, Column 15, lines 26-39, Column 13, lines 32-39, Column 9, lines 66-67, Column 10, lines 1-42), a database in which the reception log and receiver ID are recorded and program information concerning a broadcast program are recorded (Column 13, lines 40-55, Column 15, lines 26-67, Column 16, lines 1-16), the program information including a program label (Column 13, lines 40-55) and viewing and listening management means for computing viewing and listening information which is information concerning viewing and listening based on the reception log or response packet, the receiver ID read from the database (Column 15, lines 26-67, Column 16, lines 1-16).

The prior art does not disclose in conjunction with remaining limitations:  
“computing a rating for each unit portion of the program using a total number of receivers that received the unit portion of the program.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FARZANA HOSSAIN/  
Primary Examiner, Art Unit 2424

August 11, 2010